

7315. Adulteration and misbranding of cocoa. U. S. * * * v. 71 Boxes of $\frac{1}{2}$ -pound and 273 Boxes of $\frac{1}{2}$ -pound Packages of Cocoa. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10325. I. S. Nos. 6529-r, 6530-r, 6531-r, 6532-r, 6533-r, 6534-r, 6536-r. S. No. C-1232.)

On May 20, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71 boxes of $\frac{1}{2}$ -pound and 273 boxes of $\frac{1}{2}$ -pound packages of cocoa, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about March 21, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa."

Adulteration of the article was alleged in the libel for the reason that substances had been substituted wholly or in part for the article, to wit, starch to the extent of approximately 46 per cent in the case of the $\frac{1}{2}$ -pound packages had been mixed and packed therewith, and in the case of the $\frac{1}{2}$ -pound packages a mixture of approximately 56 per cent, of which 39 per cent was starch and 17 per cent sugar, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that the article had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the statement "My Own Pure Cocoa," borne on the label of the packages, was not sufficiently corrected by the inconspicuous statement, "my own cocoa compound," and was false and misleading and deceived and misled the purchasers, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On November 19, 1919, the said National Cocoa Mills, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant for relabeling, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,455.14, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7316. Misbranding of Knoxit Globules and Knoxit Liquid. U. S. * * * v. 3 Dozen Bottles of Knoxit Globules and 153 Bottles of Knoxit Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10329, 10330. I. S. Nos. 2627-r, 2626-r. S. Nos. W-355, W-356.)

On May 20, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Knoxit Globules and 153 bottles of Knoxit Liquid, consigned by the Beggs Mfg. Co., from Gatewood, Ill., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped on September 9, 1918, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples made in the Bureau of Chemistry of this department showed that the Knoxit Liquid consisted essentially of zinc acetate, alkaloids of hydrastis, glycerin, and water perfumed with oil of rose, and that the

Knoxit Globules consisted essentially of a mixture of volatile oils and oleo-resins, including copaiba balsam and oil of cassia.

The Knoxit Liquid was so labeled as to convey the impression that it was a prophylactic and remedy for gonorrhœa, and that it constituted a treatment of catarrhal affections of the eye, nose, throat, genito-urinary organs, etc., also for inflammation, hemorrhoids, ulcers, leucorrhœa and certain other diseases. The Knoxit Globules were so labeled as to convey the impression that they constituted a treatment for cystitis, leucorrhœa, vaginitis, urethritis, gonorrhœa, and blennorrhœa, at the same time having a soothing and effective action on the kidneys and bladder.

Misbranding of the articles was alleged in the libel for the reason that the statements appearing on the labels, cartons, and circulars, regarding their curative and therapeutic effects, were false and fraudulent in that they did not contain any ingredient or combination of ingredients capable of producing the effects claimed for them.

On June 10, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture*

7317. Misbranding of Knoxit Globules. U. S. * * * v. 275 Bottles of Knoxit Globules. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10331, 10332. I. S. Nos. 2692-r, 2691-r. S. Nos. W-353, W-354.)

On or about May 16, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 275 bottles of Knoxit Globules, consigned by Beggs Mfg. Co., Chicago, Ill., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 29, 1918, September 13, 1918, October 30, 1918, and February 8, 1919, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (In circular enclosed in each carton) "Knoxit Globules for the Treatment of Inflammation of the Mucous Membranes." The following statements were printed in another language and as translated into English are: "Knoxit Globules, especially prepared with the view not solely of curing Gonorrhœa and Blennorrhœa, but to have at the same time a soothing, efficacious action on the Kidneys and Bladder."

Analysis of a sample made by the Bureau of Chemistry of this department showed it to consist essentially of a mixture of copaiba and oil of cassia.

Misbranding of the article was alleged in the libel for the reason that the statements contained in said circular, regarding the curative and therapeutic effects of the article, were false and fraudulent, and that it contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On June 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*